

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW HAMPSHIRE

In Re: Theresa Pearson  
Debtor

CASE NO.: 20-10424-BAH  
CHAPTER 13

**OBJECTION TO CONFIRMATION OF THE AMENDED PLAN**  
**DATED SEPTEMBER 15, 2020**

**Now Comes** Katherine Drisko, creditor in the above referenced Chapter 13 case and hereby Objects to the Confirmation of the debtors Amended Plan. In support of the objection the following is stated:

1. The confirmation hearing on the debtors amended plan is scheduled for October 23, 2020.
2. On July 15, 2020 Katherine Drisko filed a proof of claim in the amount of \$402,146.92. Claim # 5. The claim is secured by the debtor's residence. The claim is *prima facie* valid under 11 U.S.C. § 502(a); Fed. R. Bankr. P. 3001(f).
3. An Adversary Complaint has been filed by the debtor challenging, *inter alia*, the claim amount.
4. Until the claim is resolved, the Proposed Chapter 13 Plan should not be confirmed.
5. Creditor Katherine Drisko also disputes the feasibility of the debtor selling her ½ interest in the residential real estate.
6. Creditor Katherine Drisko also disputes the proposed payment amount of \$400.00 per month towards the Drisko mortgage as the amount would not cure the pre-petition arrearage amount.
7. This Court should deny confirmation of the Plan because it fails to provide for the proper treatment of the Drisko claim as required by 11 U.S.C. § 1325 (a)(5).

**WHEREFORE**, Creditor Katherine Drisko respectfully requests this court to:

- A. Deny confirmation of the debtor's Chapter 13 Plan; and
- B. Grant such other relief as is fair and equitable.

Respectfully submitted,  
**Katherine Drisko**  
by and through counsel,

Date: September 24, 2020

/s/ Brad Davis  
Brad C. Davis, Esq. 06836  
Davis | Hunt Law, PLLC  
780 Central Street  
Franklin, NH 03235  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on this date I served a copy of this Objection on Steven Notinger, Esq., counsel for the debtor and on the Chapter 13 Trustee via the Court's ECF electronic service system.

Date: September 24, 2020

/s/ Brad Davis  
Brad C. Davis, Esq. 06836